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CAPITAL ONE BANK and  
8 CAPITAL ONE SERVICES, INC.

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 DAVID J. LEE, an individual and, on behalf  
of others similarly situated,

14 Plaintiff,

15 v.

16 CAPITAL ONE BANK and CAPITAL  
17 ONE SERVICES, INC., Virginia  
18 corporations, DOES 1 through 100,  
inclusive,

19 Defendants.

Case No. C07-4599 MHP

**CLASS ACTION**

**DEFENDANT CAPITAL ONE BANK'S  
AND DEFENDANT CAPITAL ONE  
SERVICES, INC.'S CERTIFICATION OF  
INTERESTED ENTITIES OR PERSONS**

Hon. Judge Marilyn Hall Patel  
Complaint filed: Sept. 5, 2007

1 Pursuant to Civil L.R. 3-16, and Fed. R. Civ. Proc. 7.1, the undersigned certifies that the  
2 following listed persons, associations of persons, firms, partnerships, corporations (including  
3 parent corporations) or other entities (i) have a financial interest in the subject matter in  
4 controversy or in a party to the proceeding, or (ii) have a non-financial interest in that subject  
5 matter or in a party that could be substantially affected by the outcome of this proceeding: Capital  
6 One Financial Corporation, which is the parent corporation to to both Defendants Capital One  
7 Bank and Capital One Services, Inc.

8 Dated: October 25, 2007

MORRISON & FOERSTER LLP

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10 By: /s/ James McGuire  
James McGuire

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12 Attorneys for Defendants  
13 CAPITAL ONE BANK and  
14 CAPITAL ONE SERVICES, INC.  
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